

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**Address: COMMISSIONER OF PATENTS AND TRADEMARKS
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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08/898,736

07/23/97

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FITCH EVEN TABIN AND FLANNERY
SUITE 900
135 SOUTH LASALLE STREET
CHICAGO IL 60603-4277

EXAMINER

SHERRER, C

ART UNIT

PAPER NUMBER

1761

DATE MAILED:

08/15/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Interview Summary

Application No.

08/898,736

Applicant(s)

Coppens et al

Examiner

Curtis E. Sherrer

Group Art Unit

1761

All participants (applicant, applicant's representative, PTO personnel):

(1) Curtis E. Sherrer(3) Chris Michels(2) Timothy Levstik(4) Ken NelsonJames KavaghiDate of Interview Aug 14, 2001(5) Chris NootsType: a) ☐ Telephonicb) ☐ Video Conferencec) ☒ Personal [copy is given to 1) ☐ applicant 2) ☒ applicant's representative]Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No. If yes, brief description:Claim(s) discussed: All claims in general, but discussed a proposed limitation directed to the enhanced enzyme activity due to the use of activated spores v. dormant spores.

Identification of prior art discussed:

Gyllang et al.Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments:

Applicants will consider amending the claims to include an upper limit of spores (only to overcome the 112 2nd ppq rejection). Will consider amending the claims to include the proposed limitation set forth above. Applicants will overcome the deposit requirements. Applicants will submit articles showing the enablement of activation and germination of the claimed spores. Examiner agreed that an organism that is deposited is enabled. With the prior art rejection, it appears that Gyllang does not anticipate the claim. Applicants will argue the 103 rejection. Applicants will consider submitting evidence that Gyllang's process provides no more enzymatic activity

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

i) ☐ It is not necessary for applicant to provide a separate record of the substance of the interview (if box is checked).

Unless the paragraph above has been checked, THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached

than using dormant spores, Nothing promised.



Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

CURTIS E. SHERRER
PRIMARY EXAMINER
ART UNIT 1761